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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the matter of

Amendment of Section 73.202(b))	MB Docket No. 05112	
Table of Allotments,)	RM-11185	
FM Broadcast Stations,)	RM-11374	05-112
(Fredericksburg, Converse, Flatonia,)		
Georgetown, Ingram, Lakeway, Lago)		
Vista, Llano, McQueen, Nolanville,)		
San Antonio and Waco, Texas))		05-157
Amendment of Section 73.202(b))	MB Docket No. 05151	
Table of Allotments,)	RM-11222	
FM Broadcast Stations,)	RM-11258	
(Llano, Junction and Goldthwaite,)		
Texas))		

OPPOSITION TO PETITION FOR RECONSIDERATION

1. The petition for reconsideration of Capstar TX Limited Partnership, CCB Texas Licenses, L.P., Clear Channel Broadcasting Licenses, Inc. and Rawhide Radio, LLC is without merit.

I.

2. If nothing else, the petition has chutzpah. These Joint Parties worked for some three years to develop a massive FM allotment proposal stretching from Oklahoma to the Gulf Coast involving the Dallas, Austin and San Antonio radio markets. However, they did not present this proposal as a request for a Notice of Proposed Rulemaking (NPRM) for the benefit of the general public as has been done in other multiple allotment proceedings, e.g., Ardmore, Alabama, et al, 17 FCC Rcd 16332 (MM Bur. 2002), in which three group broadcasters (Clear Channel, Jacor and Capstar) jointly presented eight allotment proposals, other interested parties were on fair notice and joined the proceeding, which ultimately resulted in 13 allotments in

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Alabama, Tennessee and Mississippi.

3. Rather, the Joint Parties enlisted the filing of an apparent singleton allotment proposal for the tiny community of Quanah in the remote Texas panhandle (by a convenient party who shortly thereafter dismissed its petition) and surfaced their humongous three-year work product as a Counterproposal in lieu of an NRPM, a trap for unwary members of the public who most likely would have had interests in the wide-ranging allotment proposals across the state had they been apprized of same by such an NRPM.

4. The massive Counterproposal has been stuck on dead center. During the course of litigation of the matter, the Joint Parties severed the proposal into a Northern part including the Dallas market and a Southern part including the Austin and San Antonio markets.

5. While only the Southern Part is included in the captioned dockets, guess what the Joint Parties are asking for in the reconsideration petition? Look at ¶8. Now, the Joint Parties want the Commission to issue a Notice of Proposed Rulemaking (NRPM). Covering both the Northern Part and the Southern Part. Nunc pro tunc. Retroactive as though they had legitimately sought a full-disclosure Notice of Proposed Rulemaking (NPRM) in the first place.

II.

6. The self serving arguments and contentions throughout the Joint Parties' reconsideration petition would not serve the public interest and would detract from the FM allotment landscape

that has been established by the Circuit Court in Crawford v. FCC, 417 F.2d 1289 (D.C. Cir. 2005). That decision has stabilized the thorny issue of "logical outgrowth" in FM allotment proceedings, fashioning a benchmark consisting of an arc from the location of the initiating petition, tacking on double the co-channel protection of the FM class proposed in the petition and co-channel protections of two consecutive full C facilities -- an arc extending approximately 300 miles in all directions.

7. This provides an orderly framework to deal with allotment conflicts and issues remaining from the debris in the wake of the Joint Parties' assault on reasonable use of counterproposals in FM allotment proceedings. Allotment petitions falling short of the court's benchmark may be ruled out and indeed such has taken place in withdrawal of allotment petitions for channel 297A at Goldthwaite, Texas, by Charles Crawford, channel 298A at Woodson, Texas, by Charles Crawford and channel 297A at Llano, Texas, by Linda Crawford.

8. Allotment petitions advanced by Charles Crawford well beyond that benchmark are still valid, i.e., Shiner, Texas (373 miles distant from Quanah), Batesville, Texas (367 miles distant from Quanah) and Tilden, Texas (408 miles from Quanah). Texas is a big state. Quanah is at the far north end. Shiner, Batesville and Tilden are at the south end near the Gulf. For the benefit of the reader in the local area, to extend the reach of "logical outgrowth" such distances from Washington, D.C. would be an arc

extending from Boston, thru upstate New York, to Cleveland, thru Kentucky, to North Carolina and ending in Charleston, South Carolina.

III.

9. The counterproposal addressed to the Southern part of the Joint Parties' quest, dated May 9, 2005, concerning which the Commission requested comments by notice dated May 31, 2007, is fatally flawed. We incorporate by reference the Response to Counterproposal filed by Katherine Pyeatt and Charles Crawford, dated June 14, 2007 in MB Docket No. 05-112. Among other things, that document shows (a) that, as applied to the Fredericksburg proceeding, the Shiner and Tilden petitions stand as grounds for rejection of the counterproposal, (b) the counterproposal violates the Commission's rule against inconsistent and conflicting applications, (c) a proposal relative to Lakeway, Texas, is defective for failure to timely file essential comments, (d) a similar defect exists relative to Converse, Texas, (e) failure to comply with the United States-Mexico Treaty with respect to a Class C1 allotment proposed for San Antonio, Texas, and (f) failure to take into account the decisionally adverse commencement of broadcast operations at McQueeney, Texas.

10. The Joint Parties have not responded to this filing.

IV.

11. For these reasons, the subject Petition for

Reconsideration should be denied.

Respectfully submitted,

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August 27, 2007

CERTIFICATE OF SERVICE

I, Gene A. Bechtel, certify that on or before August 27, 2007, I will have caused to be mailed by first class mail, postage prepaid, a copy of the foregoing OPPOSITION TO PETITION FOR RECONSIDERATION to the following:

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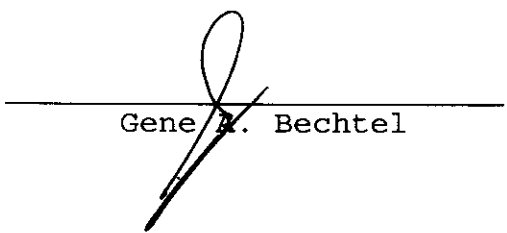
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